

# 5

## Component 1— The School Climate

**E**spousing the idea that “all children are valuable” is not enough in itself. Even in schools where this guiding idea is proclaimed, educators and parents often hold a hidden mental model about human potential that once set, it is locked in and unchangeable. This leads to a culture of winners and losers, where some kids are labeled ‘advanced’ and feel valued while others are written off as “uneducable,” “disadvantaged,” or simply “dumb.” In such a culture, adults don’t always invest the time and attention that would make a difference to the children in the latter group. This culture also encourages students and educators to focus on measurable, short-term assessments and goals, instead of on the more significant purpose of classrooms and schools: learning and enhancing the capacity to learn.<sup>1</sup>



Separating the two components of a safe and effective school helps to distinguish between strategies that focus on people and programs (the school climate), and strategies that focus on places (the physical environment—Chapter 6). This chapter includes various methods for nurturing the involvement and success of each person and, in the process, enhancing school safety.

The strategies in this chapter are divided into three sections: prevention (primary), intervention (secondary), and legal tools (tertiary).

## Prevention: Creating a Caring School Climate

“Many students feel alienated from school. Three in ten feel left out of things going on around them at school and four in ten feel that what they think doesn’t count very much at school.”<sup>2</sup>

Prevention begins with a feeling of being wanted and needed. Do both staff and students believe that the school is a caring community? Do they believe that their participation makes a difference? Do they believe that they are safe to express themselves? These and other questions will help your school planning team determine how well you are preventing behavior problems. The following prevention strategies are only a few of the many that planners can use to make schools into caring communities.

### After-School Programs

In many communities, after-school programs have reduced juvenile crime and helped improve grades. Chapter 3 provides detailed descriptions of these programs.

### Buddy Systems

Building a sense of community in the school helps to minimize bullying and disruptions and encourages learning. Cooperative learning and buddy programs between older and younger students offer many benefits:

- They instill empathy in the older student.
- They develop a sense of competence in the older student.
- They help both the older and the younger students to feel cared about and relate to the school.
- They give younger students role models for caring and helping.

Buddy systems can be effective ways to help new students find a group of friends and relate to the school’s culture.

### Character and Citizenship Education

In a November 2000 article in the *Sacramento Bee*, Gwendolyn Crump wrote:

It’s been four years since the school began discussing virtues such as respect, fairness, responsibility and trustworthiness and putting signs like Honesty Hall on buildings throughout campus to remind students how to behave. In



that time, suspensions are down, vandalism has decreased, kids are more active in the community, and on field trips, outsiders comment on the well-behaved students.

Most of the 10 Northern California schools that started character education pilot programs have since posted gains in reading and math test scores, boosted attendance and improved attitudes toward school safety, according to the Sacramento County Office of Education.<sup>3</sup>

Character education and citizenship education are two strategies that have helped schools create and maintain high standards for behavior that contribute to a safer and more caring school climate. Thanks to the success of these strategies, there are now resources available to help teachers implement character-building programs.

And from Sanford N. McDonnell, chairman emeritus of the former McDonnell Douglas Corp.:

We in the business world don't want young people coming into our employment and into our communities who are brilliant, but dishonest; who have great intellectual knowledge, but don't really care about others; who have highly creative minds, but are irresponsible. All of us in business and the entire adult community need to do our part in helping build young people of high character. There isn't a more critical issue in education today.<sup>4</sup>

Find out more about character and citizenship education at:

- Character Education Partnership's Web site: <<http://www.character.org/>>.
- Character Counts! and ethics education from the Josephson Institute of Ethics: <<http://www.josephsoninstitute.org/>>.
- Center for Youth Citizenship: <<http://www.clre.org/>>.

## Discipline Policies

Discipline policies are a required component of a safe school plan (Step 5; *Education Code* sections 35294.2[a][2][I]; 35291).

During the data gathering in Step 3, list the most serious or important discipline problems and then establish a task force of students, teachers, administrators, and parents to review or develop effective strategies and programs that target those problems. When the recommended discipline policies have the support of all stakeholders at the school, take them to the district's board for adoption.

Appendix C of *School Violence Prevention and Response Task Force Report* includes both a sample *Code of Conduct* booklet and a *Parent Handbook* that list district policies and procedures.

*Note:* Fair and consistently applied discipline policies will distinguish between disciplinary matters and criminal offenses.

## Learning Styles/Multiple Intelligences

Effective schools make sure that all students are respected and that the learning and social environments do not exclude students who are per-

ceived as being “different.” Teachers and other adult mentors need training so they can help students recognize their own and each other’s learning styles. In *Schools That Learn*, the following multiple intelligences are listed:

- Self-smart
- Word smart
- Logic smart
- Picture smart
- Body smart
- Music smart
- Nature smart
- People smart<sup>5</sup>

Teachers who know how to teach children in the *way* the children learn best will help those children to be *open* to learning. Students who are *engaged* in a task that makes sense to them will not disrupt the learning environment because of frustration or boredom.

## Languages

Effective schools recognize that students who are learning English need additional help such as tutors, buddies, and, in some cases, bilingual materials. Similarly, their parents often need special assistance before they can participate as partners in their child’s education. Consider recruiting community volunteers who speak a second language to escort non-English-speaking parents to school functions.

## Positive Behavioral Support

Positive behavioral support (student behavior management) is a relatively new way of an entire school community’s working together to set and reinforce behavior expectations so that everyone involved understands them. Positive behavioral support and functional behavioral assessment focus on the needs of children whose behaviors violate the school’s code of conduct. These concepts were included in 1997 amendments to the Individuals with Disabilities Education Act, Public Law 105-17, Section 614(d)(3)(B)(i).

However, far from being an approach that is used only for children who are acting out, positive behavioral support is useful for teaching—and *reinforcing*—appropriate behavior throughout the entire school. *Education Code* Section 56523 states the regulations on behavioral interventions, and Section 56524 requires people entering the field of education to have received training in behavioral intervention.

The training component is important because to use positive behavioral support effectively, a school staff must understand functional behavioral assessment. This type of assessment helps the teacher, counselor, or other adults understand what the student hopes to achieve by using certain behaviors. For example, students who harass or bully others may have been the target of harassers. To be accepted and to avoid further harassment, they may have joined the harassers and become bullies of younger students.

Armed with an understanding of what is reinforcing a student’s negative behavior, the adult teaches the student appropriate alternative behaviors that allow the student to get the same reward (results) that the student

wanted (e.g., acceptance). Positive behavioral support also helps staff analyze what teachers, parents, or classmates are doing to maintain or reinforce a student's problem behaviors and how they can support new, adaptive behavior.

Positive behavioral support researchers Robert Horner and George Sugai at the University of Oregon stress the importance of using schoolwide leadership teams so that behavioral expertise is located *inside* the school (not with outside consultants). In some of their controlled studies, schools have reduced office referrals from 16 per day to 2 or 3 per day. They note that schools need to track data (Step 3) before they will know if the behavior supports are working. For example:

- To minimize classroom interruptions, teach the children about raising hands. Reward the behaviors that you want, and keep track of how many times (per day or subject) that you have to reinforce the concept before it becomes natural. Then continue to keep track of classroom interruptions to see if further interventions are needed. The researchers note that academic success is one of the best interventions for high-need students, so making classroom time productive (rather than disruptive) will help students to experience success.
- Show students a video that demonstrates the right and wrong way to get help when they need to go to the nurse, lose money, or feel bullied. Have students practice the skill with coaching. Later, show students the *incorrect* way and ask them to explain why it is not effective.
- Make a chart of the behavioral data. For example, in an Orange County pilot program, the school tracked office referrals, by location, and found that the highest number of referrals came from the playground. An analysis indicated that classified staff did not know how to manage behavior other than by referring students to the office. Thus, the data indicated a need for additional training on behavioral support strategies for playground staff.

Further information on positive behavioral support is available from the U.S. Department of Education's Technical Assistance Center on Positive Behavioral Interventions and Supports (PBIS). The Office of Special Education Programs established PBIS (<<http://www.pbis.org>>) to give schools information and technical assistance for identifying, adapting, and sustaining effective schoolwide disciplinary practices.

### **School-Community Policing**

More and more schools are joining in partnerships with local law enforcement to provide campus security. See Chapter 3 for a discussion of the benefits of such partnerships.

### **Staff Development**

Before school begins each year, conduct training sessions for staff and security personnel on school safety procedures. At the same time, schools



can review their safety committee membership and make recommendations about needed revisions to the safety plan (see Step 7). Include certificated and classified staff, as well as part-time and substitute employees, in the training sessions.

Some of the topics for yearly staff training could include:

- Student behavior management (positive behavioral support)
- Classroom management (how to maximize instructional time and minimize disruptions)
- Ways of dealing with disruptive students and angry parents
- Recognition of child abuse and reporting policies
- Conflict resolution and anger management
- Awareness training on gangs, drugs, and violence
- Cultural awareness and English as a second language
- Prevention of alcohol and other drug use
- Procedures for notifying teachers about dangerous pupils
- Strategies for improving shared decision making involving the certificated and noncertificated staffs, school police or security personnel, students, parents, and community members—particularly those members representing law enforcement and social service agencies
- Curriculum on topics such as responsible citizenship, appreciation of cultural diversity choices, saying no, self-esteem, self-identity, emotional development, student responsibility, social expectations, decision making, career decisions, goal setting, effective communication, and effective relationships
- Recognition and use of the different learning styles of students
- Strategies to individualize instruction without resorting to grouping and tracking students by ability
- Cooperative learning techniques
- Relationship-building strategies for students and staff
- Discipline practices, including fair and consistent enforcement of conduct codes
- Procedures for reporting all criminal behavior on the school campus to the appropriate law enforcement agencies
- Data collection that will help determine the effectiveness of curricula and programs so teachers can focus on *what works*; for example, what kinds of data can help you to know:
  - The percentage of students on task
  - The number of times teachers deliver approving responses
  - How to organize the data so you can use them

*In Schools That Learn*, the authors write:

We regularly reflect on our activities and practices by asking, “Does this add to, or take away from, the dignity of the child?” Talking about the dignity of the child as one of our primary values provides a powerful starting point for building a shared vision and focusing staff development programs aligned with that vision. It affects the way that we talk to each other as educators—in

the classroom, in meetings, and in the lunchroom. You can build a practice of seeing students for who they are by deliberately incorporating the research on multiple intelligences and learning styles into your lessons, creating fruitful obstacles for all the different learning styles in the room, challenging them to reach beyond their natural limits, and showing them that we recognize their strengths and limits. The end result is a system that continually communicates to children, “We’re going to add value to your life today, and your teacher next year will add more value to you—because we know you’re worth it.”<sup>6</sup>

## Intervention Strategies to Maintain a Caring Climate

In a perfect world, prevention programs would be the only option needed. However, in spite of the best prevention practices, some students will continue to challenge authority or disrupt school safety and learning through verbal or physical disruptions or aggression.

Intervention techniques provide services to students and their families when behavior continues to violate school and community behavior codes. The aim of these programs is to provide alternatives that will interrupt problem behaviors before they escalate and potentially derail the student’s long-term success. Some promising practices follow.

### Anger Management

According to recent research findings, anger management is highly effective in reducing antisocial behaviors. A few of the programs that showed promise included the following:

- *Operation Clean Sweep.* A countywide partnership program administered by the San Bernardino County Sheriff’s Department and the Office of the San Bernardino County Superintendent of Schools. The program began in 1997 and provides (1) training for school administrators in recognizing and determining elements of school crime; and (2) schools with the ability to cite students involved. Students who receive citations must appear before a hearing officer in traffic court and are fined substantial dollar amounts in accordance with the crime. Most of the fine is waived if the student agrees to improve and maintain his or her grade point average, attend school, perform community service, and participate in supportive programs, such as anger management or smoking cessation. When the student completes the terms of the agreement, she or he must provide written verification in order to have all or part of the fine waived.<sup>7</sup>
- *Second-Step Anger Management.* A program to help students discuss issues of concern or be able to recognize when they are angry and how to handle the anger.<sup>8</sup>
- *Reflections Program.* Better known as *Families and Children Empowered for Success (FACES)*. It focuses on minority students and the prevention of juvenile delinquency. The San Diego County Probation Department, San Diego County Office of Education, Office of Criminal Justice

Planning, and Spectrum Counseling Services provide a multifaceted program of counseling and education for students whose only alternative would be placement in long-term residential facilities. On a weekly basis, probation officers and community-based personnel provide information about gang involvement, chemical dependency, anger management, sexual and physical abuse, self-esteem, setting of limits, business and economics, and life skills training. Mental health professionals, including marriage and family counselors and chemical dependency and bilingual counselors, are available at all times. Probation officers work with families (including siblings and parents) in their homes two nights each week. On weekends they assist with conflicts and provide support and education on parenting, including how to develop and maintain a healthy family.<sup>9</sup>

- *First Step to Success*. A promising new program that targets the emerging antisocial behavior of children just entering kindergarten.<sup>10</sup>

### Attendance Improvement Strategies

Chronic attendance problems rob children of not only academic success but also of a bonding experience with their school and put them at risk for failure, gang involvement, and drug abuse. The California Department of Education's Safe Schools Web site has two handbooks that can help schools target attendance problems:

- *School Attendance Improvement Handbook* includes a large number of strategies, legal references, and sample documents that can help schools improve student attendance.
- *School Attendance Review Boards Handbook* reviews all of the procedures that are necessary for establishing and operating a school attendance review board (SARB).<sup>11</sup>

The Department's, Educational Options Office supervises SB 65 (The Dropout Prevention and Recovery Act) programs.<sup>12</sup>

### Breaking the Code of Silence

In 2000-2001, following the Columbine (Colorado) shooting incident, the U.S. Secret Service carried out a two-year study of school shootings to see what could be learned to prevent future incidents. The agency's most important finding was that in almost three-quarters of 37 school shootings since 1974, the assailants told someone about their plan, usually another student. Thus, many school shootings could have been prevented if students had shared information with teachers, school administrators, or perhaps parents.

Student-led programs are an important tool for breaking the code of silence. Possible approaches include:

- Anonymous hot lines or suggestion boxes
- Peer listeners
- Each student bonded to at least one trusted adult at school



### Bully-Prevention Programs

Recognizing the sometimes devastating effects of bullying on chronic victims and on overall school safety, many states are now proactively dealing with it. The California Department of Education's Safe Schools Web site contains links to bully-prevention programs and resources—<http://www.cde.ca.gov/spbranch/ssp/bullyresource.htm>.

Bullying is a serious problem in most schools—particularly middle schools. Students worry about threats and tend to curtail their activities accordingly—even to the point of chronic tardiness (to avoid bullies on the way to school) or chronic truancy. In most cases, it becomes a bigger problem if teachers do not identify and intervene in the problem early.

Key elements of bullying prevention programs include:

- Social skills building for victims
- Positive leadership training for bullies
- Intervention techniques for bystanders
- Parental support

In Bergen, Norway, the frequency of bullying problems had decreased by more than 50 percent two years after implementation of a prevention program. Classes that implemented more of the three program components (class rules against bullying, class meetings about bullying problems, and class role-plays about bullying) had fewer subsequent bullying problems than other classes. These results applied to both boys and girls across all the grades that were studied.

Research in the United States has also found a 50 percent reduction in bullying, as well as a reduction in antisocial behavior (theft, vandalism, and truancy), and an improvement in school climate resulting from bully-prevention programs.<sup>13</sup>

*Set Straight on Bullies* examines the myths and realities about school yard bullying.<sup>14</sup> It discusses changing attitudes about the seriousness of the problem and studies the characteristics of bullies and bullying victims. Most importantly, it provides strategies for educators, parents, and students to prevent and respond to school yard bullying.

### Drug and Alcohol Abuse Prevention

The California Healthy Kids Survey gives schools a comprehensive look at the health risk factors their students face, and California Safe Schools Assessment data show current rates on the use and sale of drugs and alcohol in school. By looking at both sets of data, school planning teams will get a better understanding of the risks and challenges their students face.

The good news is that research is now available to help schools develop effective drug and alcohol abuse prevention programs. The following sources provide helpful information:

- California Healthy Kids Survey homepage—<http://www.wested.org/hks/>

- California Healthy Kids resources page—<<http://www.hkresources.org/>>
- Safe, Disciplined, and Drug Free-Schools Expert Panel—Exemplary and Promising Programs (2001)—<<http://www.ed.gov/offices/OESE/SDFS/programs.html>>
- Safe Schools, Safe Students—A Guide to Violence Prevention Strategies. A project guided by Drug Strategies Board of Directors and funded by a grant from the William T. Grant Foundation, 1998—<[dsppolicy@aol.com](mailto:dsppolicy@aol.com)>; <<http://www.drugstrategies.org/>>

## Gang Risk Intervention

When schools have combined dress code requirements or restrictions on certain attire with gang resistance education programs, they have had success in reducing gang involvement. In addition, many schools have amended codes of conduct to prohibit “hard looks,” “stare downs,” “mad-dogging,” and “mean-mugging.”

The most common gang prevention program for middle and high schools is called the Gang Risk Intervention Program (GRIP), which is described in Chapter 2.

Graffiti and vandalism can make a school *feel* unsafe, in addition to adding to the dollar impact on school budgets. They are covered under Component 2, the physical environment, but are mentioned here because they are often related to gang activity. Vandalism can be a predictor of school violence when words and images threaten violence. At Columbine High School, graffiti in the boys’ bathroom predicted, “Columbine will explode one day. Kill all athletes. All jocks must die.” Students in the School Violence Prevention and Response Task Force focus groups frequently mentioned bathroom graffiti as threatening fights and violence via insults and “calling out.”<sup>15</sup> Consequently, every effort must be made to eliminate graffiti—if possible *even before students arrive* in the morning.

For more information on gang prevention, go to the “Gang Prevention Safety Links” on the Safe Schools and Violence Prevention Office’s Web site.<sup>16</sup>

## Hate-Motivated Behavior Prevention/Tolerance Education

Recent legislation amended *Education Code* Section 220, adding sexual orientation to groups protected from discrimination and hate crimes listed in Subdivision (a) of *Penal Code* Section 422.6. Additional legislation allocates funds to the California Department of Education to contract for regional training for school districts to learn about identifying and dealing with hate violence. *Hate Motivated Behavior Handbook*, as well as information about grants and regional training programs to help school staff reduce hate violence, is available from <<http://www.cde.ca.gov/spbranch/safety/>>.

Tolerance education is a newly funded competitive grant program that provides funds for school districts and county offices of education. Its purpose is to help students and teachers to participate in education pro-

grams focused on tolerance. To receive funding, programs should include strategies for:

- Fostering ethnic sensitivity
- Overcoming racism and prejudice
- Countering hatred and intolerance

A list of grantees is posted at <http://www.cde.ca.gov/spbranch/safety/tep2000-01awards.html>.

### Parent and Family-Based Interventions

The California Board of Corrections awards probation department grants to implement the Youth Challenge Community Program (YCCP), a school-based prevention program whose mission is to provide prevention and early intervention services to ten- to fourteen-year-old students and their families. It is also designed to gauge the effectiveness of those interventions in reducing the number of school-related problems, juvenile delinquency, substance and alcohol abuse, family dysfunction, and gang involvement.

The problem blends the services of deputy probation officers, children and family services social workers, police officers, school staff, and contracted community-based organizations; and its efforts are designed to build on family strengths. The school-based collaboration of all the agencies helps the students and their families to change the behaviors that led to their referrals to the program.

YCCP uses an experimental design that assigns students to either the experimental or control group. The students and their families in the experimental group receive all the benefits of the program, while the control group receives no direct services. This structure allows program planners to evaluate the benefit of the model.

The Youth Challenge Community Program began on selected school sites in January 2000. Since then, 251 students have been referred to the program.<sup>17</sup>

## Legal Tools That Restore a Caring School Climate

California's legal codes provide schools with many options for dealing with behavior that threatens the safety of students and school personnel and the overall school climate. *Law in the School* provides a comprehensive look at the codes that relate to schools.<sup>18</sup> Legal codes that are specific to school safety are listed in Appendix H, or you can search for codes at the Legislature's "California Law" site: <http://www.leginfo.ca.gov/calaw.html>.

Below is a brief look at some of the legal strategies that schools can use to maintain safe and effective learning environments.

### Citations

Amendments in 1995 to the *Welfare and Institutions Code*, *Education Code*, and *Vehicle Code* allow cities and counties to enact antitruancy laws and

daytime loitering ordinances. Some of the citations allowed by government codes in California include the following:

*Daytime curfew.* The City of Millbrae (contact Millbrae Police Department, (650) 259-2300) has established a daytime curfew program that is also used in other cities, including Los Angeles, Fontana, Folsom, Rialto, and Adelanto. The daytime curfew/loitering ordinances allow police to cite truants and refer them to traffic court, where they may face revocation of their driving privileges. Parents of students with excessive citations are fined from \$250 to \$1,000 and mandated to do 20 to 120 hours of community service. Because of year-round schools, the school districts have created identification cards for all students to identify their track dates.

Cities that have used the curfew ordinance have had a dramatic improvement in attendance when they use a “carrot-and-stick” approach to the fines. They demand that only a small percentage of the fine be paid at the time of the citation. The hearing officer warns the student that the full amount will be due—payable by the parents and reimbursed by the student—if the student’s attendance does not improve within a three- or six-month period. The hearing officer sets a return date, at which time the student is accountable for either the attendance or the fine.

The City of Monrovia (contact Monrovia Police Department, (626) 359-1152) has created an ordinance allowing for the arrest of truants and streamlining the time-consuming process by allowing police officers to issue citations to violators to appear in juvenile traffic court. In the first 15 months of the program, the city documented a 57 percent decline in the dropout rate of high school students and an increase in attendance to 97.7 percent. This improvement produced approximately \$10,000 more revenue in 1995 than for the same period in 1994.

The City of Folsom (contact Folsom City Police Department, (916) 355-8380) has assigned one officer to issue citations. Having a single officer involved allows him to know the faces of the most likely truants and to know how many times other officers have picked them up. Whenever fellow officers pick up a truant, they call the program’s officer to complete the citation process and to choose which of three options to impose: a fine (if he determines that the parents are responsible); community service (if he determines that the student is responsible); or referral to juvenile court for loss of the student’s driver’s license (if neither student nor parent seems concerned about the truancy).

Section 625.5 of the *Welfare and Institutions Code* authorizes cities that have enacted curfew ordinances for minors to collect fees for the actual costs of detention and transportation. The law requires cities to issue a warning citation explaining the consequences of a second violation.

*Juvenile court.* *Welfare and Institutions Code* Section 601 states that a minor who has “four or more trancies within one school year as defined in Section 48260 of the Education Code or if a school attendance review board or probation officer determines that the available public and private services are insufficient or inappropriate to correct the habitual truancy of the minor,

... the minor is then within the jurisdiction of the juvenile court which may adjudge the minor to be a ward of the court.” The process is often slow, and the legal consequences are unclear. In contrast, the daytime curfew ordinances and traffic court hearings have several advantages over juvenile court involvement. The daytime curfew ordinance helps truants to feel the immediate effects of their behavior, and a logical consequence—improved attendance or a heavier fine. The close connection between behavior and consequence provides results that are more noticeable.

*Operation Stay in School.* A statewide program, Operation Stay in School is a truancy-reduction program operated under the cooperative sponsorship of a school district and local law enforcement agency. Its main goal is to enforce compulsory school attendance laws. Program law enforcement officers apprehend unsupervised school-age students without valid reasons for being out of school, and they take them to a reception center. Patrol officers issue citations to students and then return them to school to meet with their parents and the school’s vice principal. Students can receive two citations without penalty; the third citation results in referral to appropriate support services.

It is important for the school and law enforcement team to jointly plan the following when implementing Operation Stay in School (contact: Fresno Unified School District, Student Services Office, (559) 457-2540):

- Location and staffing for the reception center
- Parent awareness campaign (e.g., newsletters, PTA announcements, newspaper articles)
- Procedures for returning students quickly to the regular program
- Methods to determine legitimate excuses for students to be off campus (e.g., year-round school passes, ID badges)

*Vehicle Code citations.* *Vehicle Code* citations can have a powerful impact on students:

The adolescent offender who commits an “intermediate” offense is “at risk” of continued criminal behavior, yet [he] is also more likely to be responsive to deterring or preventative measures . . . If the offense occurs while at school, the only consequence will be a school suspension/expulsion, or transfer to an alternative education program (the “pre-delinquent” or first-time offender may well see this as a reward) . . . A policy was implemented in several of the districts within San Bernardino County requiring students who commit even minor violations such as possession of tobacco, theft, or vandalism to be cited into juvenile traffic court, resulting in fines and penalties . . . and the loss of a driver’s license.”<sup>19</sup>

Forms used in San Bernardino County are included in Appendix D.

Section 13202.7 of the *Vehicle Code* states that a student who has attended a school attendance review board (SARB) program, a probation department program, or truancy mediation and is again truant is subject to school suspension or revocation of all driving privileges and must surrender her or his driver’s license. If the student is a minor and not yet driving, his or her



right to do so may be postponed for one year. For additional time that the minor is truant, the court can add another year of waiting time for driving privileges. The suspension is in addition to any other penalty imposed on the minor, which can include:

- A fine of not more than \$100, for which the parents or guardian are jointly liable
- Attendance at a court-approved truancy program

*Work experience.* The Alternatives to Expulsion Program targets students who have been arrested at school in Long Beach Unified School District. Instead of being sent to a California Youth Authority (CYA) camp, however, juvenile offenders have a new alternative: jobs and mandatory continuation high school classes. The program has the full cooperation of juvenile court judges; the police and probation departments; the school district and county office of education; and the city. Both the student and parent must agree to the alternative to incarceration and the terms of the agreement. Once the agreement is signed, students are enrolled in alternative classes and assigned to work four hours per day in a job funded by the Job Training Partnership Act. Failure to show up for school and work results in the student's being remanded to CYA.

### **District Attorney Mediation**

Recognizing that a failed school experience is the single, most shared factor for more than 80 percent of adult offenders and delinquent minors, the Los Angeles deputy district attorney's office made a commitment to fighting truancy at *the earliest possible stage*. Abolish Chronic Truancy is a program that targets students in kindergarten through grade six and their parents. Schools refer students with attendance problems to the DA's office, which sends the parents a letter requesting a special meeting. After the meeting, the district attorney's office works with the school staff to track the attendance records of the students in the program. If attendance problems continue, the student and parents receive special attention by a school attendance review team (SART), which analyzes the student's problems and offers suggestions for help. The main message is the parents' obligation to send their children to school. If the referral to a SART does not produce satisfactory school attendance, the student is referred to the school attendance review board (SARB). If attendance problems still persist, SARB will refer the case to the district attorney's office for an office hearing. The hearing represents the final attempt to resolve the attendance problem informally and without prosecution. If the hearing does not result in regular school attendance, the district attorney's office will prosecute the student, the parents, or both.

In 1995, 9,769 families received letters from the district attorney's office. The attendance of 8,918 students improved after the initial letter, the attendance of 837 improved following the SART referral, and 39 improved after the SARB referral. Only two cases were prosecuted.

Funding for the program comes from a grant from the Office of Criminal Justice Planning, the district attorney's budget, the county supervisors' discretionary fund, and the school district.<sup>20</sup>

### Expulsion/Suspension

In 1994, the federal government passed the Gun-Free Schools Act. The act requires states to implement expulsion policies for students who bring firearms onto school campuses.

According to *Education Code* Section 48915(a)(1–5), the principal or superintendent can *recommend* expulsion for the following acts, unless the principal or superintendent finds that expulsion is inappropriate:

- Causing serious physical injury to another person, except in self-defense
- Possessing any knife, explosive device, or other dangerous object of no reasonable use to the student at school-related events
- Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the *Health and Safety Code* except for the first offense for the possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis
- Robbery or extortion
- Assault or battery, as defined in sections 240 and 242 of the *Penal Code*, upon any school employee

However, the principal or superintendent *must immediately* suspend and recommend expulsion for the following acts according to *Education Code* Section 48915(c)(1–4):

- Possessing, selling, or otherwise furnishing a firearm
- Brandishing a knife at another person
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the *Healthy and Safety Code*
- Committing or attempting to commit a sexual assault as defined in Subdivision (n) of Section 48900 or committing a sexual battery as defined in Subdivision (n) of Section 48900

In spite of the intent to make schools safer, suspensions and expulsions have a dark side. Many students report that being suspended or expelled from school is one of the top three school-related reasons for dropping out.

To mitigate the negative aspects of expulsion, California law requires expelled students to continue their education in a different setting from their original school (*Education Code* sections 48915[d][1–3]; 48916.1). Community day schools (*Education Code* Section 48915.01) help meet the needs of expelled students.

In cases in which an expulsion appears to be warranted, the School Violence Prevention and Response Task Force's research found that some school districts transfer an expelled student to another district, as allowed

under *Education Code* Section 48915.1. According to the task force, it is important for both schools to share information about the student so that the new school will know about the student's troubled background and be prepared to institute adequate programs so that the student can avoid continued problems.

### **Identification, Redirection, and Supervision of Repeat Offenders**

Most school crime problems are caused by a small percentage of students. To help them acquire more prosocial behaviors, schools should make every effort to engage these students with adult mentors, meaningful programs, and close supervision. Consider the following:

- Place students with experienced teachers.
- Develop individual behavior and education plans.
- Assign a specific counselor to each student.
- Assign these students to lockers in areas that are clearly visible and easily supervised.
- Make sure to tie these students into services through your community network of youth-serving referral agencies.

Probation officers can provide additional supervision and mentoring for students who attend school while on probation. This type of partnership helps school staff, who can invest more time reinforcing positive behavior among all students, rather than spending an inordinate amount of time disciplining a few.

### **Parenting Reinforcement**

In San Diego, when parents fail to comply with a SARB contract, the parents are prosecuted under *Education Code* Section 48293.<sup>21</sup> Although the court system is viewed as a last resort, school attendance has improved as a result of using it. A parenting program called the San Diego Parenting Project (SDPP) is designed to require reluctant parents who are in violation of *Penal Code* Section 272 (contributing to the delinquency of a minor) to participate in a parent education program. The focus of the program is to provide education about how parents can control their children and help their children avoid involvement in gangs, drugs, tagging, and other delinquent behaviors.

The Truancy Abatement Burglary Suppression Program (TABS) is a joint effort of the police, school districts, and district attorney's office in San Jose.<sup>22</sup> The program assigns police officers to work directly with the elementary school districts. Each school is asked to submit the names and attendance records of each habitual truant to the TABS coordinator. The program focuses on parents of the truants in the first through sixth grades and requires them to meet with the TABS coordinator. Meetings occur in the police department to emphasize the seriousness of truancy. Parents are asked to identify the cause of the problem and to help define a solution. The coordinator informs them about the law and consequences of noncompli-

ance. If necessary, families in crisis are referred to other agencies for assistance.

The Kern County Office of Education funds the Truancy Reduction Program (TRP) through a consortium of independent school districts. The program assigns two deputy probation officers from the Kern County Probation Department as the primary service providers to intervene after all other intervention steps have been completed, including submission of a TRP referral. The school making the referral tracks the daily attendance of the student. Assigned probation officers make regularly scheduled home and/or school-site visits to meet one-on-one with students and their parent(s). If after four contacts a student is still not attending school regularly, the TRP officer documents the contacts and refers the student back to the school for possible referral to the district attorney's office. In addition, the officer files a complaint with the district attorney's office, charging parents with violation of *Penal Code* Section 272 (willful child neglect) when they have failed to send their children to school.<sup>23</sup>

### **Restitution and Community Service for Juvenile Offenders**

Studies show that students tend to give up behaviors that would threaten bonds they have with people who exhibit healthy beliefs and high standards.<sup>24</sup> To help establish and strengthen that type of healthy bonding, *Education Code* Section 48900.6 allows schools to assign students to community service in lieu of suspension or expulsion (except in cases where expulsion is *required*—see *Education Code* Section 48915[c][1–4]). Partnerships with the presiding juvenile court judge, the chief probation officer, traffic court, and community or government leaders help schools establish community service and restitution programs such as peer courts. These opportunities allow students involved in vandalism and crime to have a way to compensate victims for their offenses and to see themselves as *contributors* rather than as *takers*.

The peer court staff in Placer County has developed an effective system for referring students to community service as a condition of their court sentencing (under Section 601 of the *Welfare and Institutions Code*). The peer court process trains students to work with judges, attorneys, and the district attorney to try their truant peers and come up with punishments for suspendable offenses. Peer court helps students learn about the juvenile justice system and personal responsibility. A jury of their peers sentences offenders, who are tried in peer court, and community service is often a sentencing tool.

The Placer County Peer Court follows a process that has evolved over a period of years:

1. Staff members contacted community agencies and individuals, asking them to participate in the program. They compiled a binder that lists opportunities and categorizes them by community location and type of service.

2. When students are sentenced to community service, a staff member conducts a phone interview to determine their interests, types of community service that appeal to them, and constraints, such as transportation problems.
3. Before placing the students, a staff member conducts an orientation meeting with them (the meetings are held each week with one to seven students). The staff member engages the students in creating their own community service assignments.

For example, when a staff member found that one student loved to fish, she worked with a local fish hatchery to create a position. In another case, a student was assigned to work with an elderly neighbor who at an earlier time had hired the boy to do odd jobs for him. Similarly, students who report that they love animals are paired with veterinarians or animal shelters.

Students who have completed community service through peer court often report that it has changed their lives.

Peer court is a cooperative venture of the Placer County Office of Education, Placer County Superior Court, district attorney, public defender, probation department, and local high school districts.<sup>25</sup> Other student court programs are operating at Atascadero High School, Banning High School, Franklin High School, Oxnard High School, and Pinon Mesa Middle School.

## Terrorist Threats

As schools attempt to break the code of silence and respond to potential threats, they are making more use of *Education Code* Section 48900.7, which allows for suspension, expulsion, and citation or arrest when students make terrorist threats against school officials and/or school property. *Penal Code* Section 422 makes it a crime to threaten someone if the school determines that the threat is credible, and Section 422.6 outlines hate crime threats.

School officials need to be cautious when using the above sections, particularly if the school is acting on a tip from another student. Pending court cases indicate that judges will be strict in laying the burden of proof on schools districts.

## Notes

<sup>1</sup> Peter Senge and others. *Schools That Learn*. New York: Doubleday, 2000, p. 104. <[www.fieldbook.com](http://www.fieldbook.com)>.

<sup>2</sup> "Metropolitan Life Survey of The American Teacher, 2000." <<http://www.metlife.com/Companyinfo/Community/Found/Docs/2000pdf.html>>.

<sup>3</sup> Gwendolyn Crump, "Ethics Earning High Marks: More Schools Are Stressing Character Education," *Sacramento Bee*, November 21, 2000.

<sup>4</sup> Sanford N. McDonnell, "Is Character Education the Answer?" *Education World* (February 1, 1999). <[http://www.education-world.com/a\\_admin/admin097.shtml](http://www.education-world.com/a_admin/admin097.shtml)>.

<sup>5</sup> Senge and others. *Schools That Learn*. p. 125. <[www.fieldbook.com](http://www.fieldbook.com)>.

<sup>6</sup> Senge and others. *Schools That Learn*. p. 122. <[www.fieldbook.com](http://www.fieldbook.com)>.



<sup>7</sup> Contact: Clark Morrow, Program Manager, Public Information Office, San Bernardino County Sheriff's Department, (909) 387-0629.

<sup>8</sup> Contact: Stephen Thom, Mediator and Trainer, Community Relations Services, U.S. Department of Justice, Los Angeles, (213) 894-2810.

<sup>9</sup> Contact: San Diego County Probation Department, (619) 698-5457 or (619) 668-0363.

<sup>10</sup> Jim Larson, Douglas C. Smith, and Michael J. Furlong, "Best Practices in School Violence Prevention," unpublished paper. <<http://education.ucsb.edu/school-psychology>>.

<sup>11</sup> To download either document, go to <<http://www.cde.ca.gov/spbranch/safety/>>.

<sup>12</sup> CDE Educational Options Office, <<http://www.cde.ca.gov/spbranch/essdiv/sb65index.html>>.

<sup>13</sup> *Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1995, p. 80. <<http://ojjdp.ncjrs.org/resources/school.html>>.

<sup>14</sup> Stuart Greenbaum, Brenda Turner, and Ronald D. Stephens, *Set Straight on Bullies*. Malibu, CA: Pepperdine University Press (National Safe Schools Center [NSSC]), 1989. <<http://www.nssc1.org/>>.

<sup>15</sup> *School Violence Prevention and Response—Final Report of the Task Force to the Governor and California State Legislature*. Sacramento: Governor's Office of Criminal Justice Planning, 2000. p. 24. <[http://www.ocjp.ca.gov/publications/pub\\_schlvio.htm](http://www.ocjp.ca.gov/publications/pub_schlvio.htm)>.

<sup>16</sup> Safe Schools and Violence Prevention Office, "Gang Prevention Safety Links." <<http://www.cde.ca.gov/spbranch/safety/ganglinks.html>>.

<sup>17</sup> For additional information, contact the Fresno Probation Services Manager, at 559-455-5270.

<sup>18</sup> Download a copy of *Law in the School* from the attorney general's Crime and Violence Prevention Center: <<http://doj.ca.gov/cvpc>>.

<sup>19</sup> Daniel Keller (Traffic Hearing Officer, San Bernardino County Juvenile Court), "Juvenile Traffic Court's Positive Impact on School Behavior." Palm Springs, CA. Address to the California Association of Supervisors of Child Welfare and Attendance State Conference, May 1, 1997.

<sup>20</sup> Contact the Los Angeles County deputy district attorney, (909) 620-3330.

<sup>21</sup> Contact the San Diego city attorney, 619-236-6220.

<sup>22</sup> Contact the San Jose Police Department, 408-277-4631.

<sup>23</sup> Contact the Kern County Prevention Program, School Community Partnerships Department, Kern County Office of Education, (661) 636-4757.

<sup>24</sup> Office of Juvenile Justice and Delinquency Prevention, 1995. <<http://ojjdp.nmcjrs.org/resources/school.html>>.

<sup>25</sup> Contact Placer County Peer Court, (530) 663-9227.